IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 248 OF 2007

Durvesh Amanulla Khan. .. .. Petitioner.

vs.

Kum. Faria Durvesh Khan
through her natural guardian
and mother Shahista Khan
& Anr. ... .. Respondents.

Mr. U.B. Nighot for Petitioner.
Ms. V.R. Bhosale, APP. for Respondents.

..

Coram: J.N. PATEL &,
A.A. SAYED, JJ.
Date: 14TH JUNE, 2007.

P.C.

. Heard.

2. This revision application is filed challenging the judgment and order dated 26.3.2007 passed by the Judge, Family Court No. 1 at Pune, whereby the applicant-respondent has been directed to pay Rs.

3000/- instead of Rs. 2000/- to the respondent-petitioner i.e. Shahista Khan, wife of the applicant. The learned Judge of the Family Court found the need for enhancement of the maintenance as genuine on the ground that at the time when the earlier application for maintenance was filed the daughter of Shahista Khan, born out of the applicant, was two years old and on the date when the application for enhancement came to be filed, she was five years old and has taken admission in First Standard English medium school and is required to deposit tuition and other fees and, therefore, to meet the educational expenses of the daughter of the applicant, it was necessary to enhance the maintenance.

3. We do not find any error or illegality in the approach of the learned Judge of the Family Court in granting enhancement of the maintenance which has been awarded taking into consideration the need of the respondent i.e. daughter of the applicant who requires money towards educational expenses. Therefore, the petition is dismissed in limine. No order as to costs.

(J.N. Patel, J.)

(A.A. Sayed, J.)